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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Lewis, Jr.

Serial No.: 10/010,468

Filed: November 8, 2001

Confirmation No.: 4368

Examiner: Jennifer A. Boyd

Art Unit: 1771

For: **CROCHET-KNITTED MATTRESS CLOSING TAPE**

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

RESPONSE

The Office Action mailed April 21, 2005 has been reviewed but is completely unrelated to the present application. It appears to have been sent to Applicant due to a typographical error wherein the serial number of the present invention was wrongly inserted into an unrelated Office Action. A copy of the Office Action is attached for your convenience.

Respectfully submitted,

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Date: July 21, 2005

File No.: 2124-026

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS DOCUMENT IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST-CLASS MAIL, IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON JULY 21, 2005

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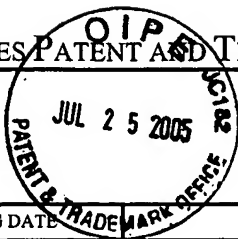
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/010,468

11/08/2001

Marvin Lewis JR.

18622.007

4368

7590

04/21/2005

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EXAMINER

BOYD, JENNIFER A

ART UNIT

PAPER NUMBER

1771

DATE MAILED: 04/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Sm

Supplemental



Office Action Summary

Application No. 10/010,468		Applicant(s) LEWIS, MARVIN	
Examiner Carol S. Tsai		Art Unit 2857	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 December 2004.
- 2a) ☐ This action is FINAL.
- 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8, 10, 11 and 15-30 is/are rejected.
- 7) ☒ Claim(s) 9 and 12-14 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 December 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3 and 15-26 are rejected under 35 U.S.C. 102(b) as being anticipated by U. S. Patent No. 5,774,829 to Cisneros et al.

With respect to claims 1, 17, 24, and 25, Cisneros et al. disclose a device for a spatial positioning system comprising: a detector (phase detector 144 shown on Fig. 2B) adapted to detect a measurement signal (see col. 13, lines 49-67); a signal processing unit (CPU 150 shown on Fig. 2B) communicably coupled to said detector (see col. 9, lines 10-19), said signal processing unit adapted to analyze said measurement signal and determine at least one filter parameter value therefrom, said signal processing unit further comprising a programmable measurement filter adapted to receive and filter said measurement signal based upon said at least one filter parameter value determined by said signal processing unit (see col. 16, line 56 to col. 18, line 43); and an output device (display 182 shown on Fig. 2B) coupled to said signal processing unit.

As to claim 23, Cisneros et al. also disclose a device for a spatial positioning system comprising: a detector (phase detector 144 shown on Fig. 2B) adapted to detect a measurement signal (see col. 13, lines 49-67); a signal processing unit (CPU 150 shown on Fig. 2B)

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communicably coupled to said detector (see col. 9, lines 10-19), said signal processing unit adapted to analyze said measurement signal and determine at least one filter parameter value from said detector and a programmable measurement filter adapted to receive and filter said measurement signal based upon said at least one filter parameter value retrieved from said storage device of said signal processing unit (see col. 16, line 56 to col. 18, line 43); a storage device (data storage device 180 shown on Fig. 2B) located within said signal processing unit for storing said at least one filter parameter value (see col. 9, lines 10-19); and an output device (display 182 shown on Fig. 2B) coupled to said signal processing unit.

As to claim 2, Cisneros et al. also disclose selecting a first filter parameter value from at least two predetermined filter parameter values (see col. 17, lines 46-55).

As to claims 3 and 26, Cisneros et al. also disclose selecting said first filter parameter value based upon an attempt to discriminate device movement from noise in said measurement signal (see col. 16, line 63 to col. 17, line 12).

As to claims 15 and 16, Cisneros et al. also disclose said programmable measurement filter is implemented digitally as software code and said signal processing unit communicates said at least one filter parameter value to said programmable measurement filter by storing said at least one filter parameter value in a storage location of a storage device accessible by a processor executing said software code (see col. 8, line 52 to col. 9, line 19).

As to claims 18 and 19, Cisneros et al. also disclose said programmable measurement filter filters said measurement signal to produce a filtered output signal that is manipulated to compute a control signal to control an automated control device (see col. 1, lines 45-52).

As to claim 20, Cisneros et al. also disclose said measurement signal comprising at least one of an angular measurement, a detected laser signal, a detected global positioning signal, and a detected automated tracking system signal (see col. 5, lines 28-37).

As to claims 21 and 22, Cisneros et al. also disclose said measurement signal being communicated from said detector to said signal processing unit using a wireless communications link (see Figs. 1 and 2).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4-8, 10, 11, and 28-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cisneros et al. in view of U. S. Patent No. 6,594,613 to Ley et al.

As noted above, with respect to claims 4-8, 10, 11, and 28-30, Cisneros et al. disclose the claimed invention, except for computing said at least one filter parameter value such that a frequency characteristic of said programmable measurement filter varies linearly within a predetermined operational range.

Ley et al. teach computing said at least one filter parameter value such that a frequency characteristic of said programmable measurement filter varies linearly within a predetermined operational range (see col. 2, lines 46-65).

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It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Cisneros et al.'s method to include computing said at least one filter parameter value such that a frequency characteristic of said programmable measurement filter varies linearly within a predetermined operational range, as taught by Ley et al., in order to keep the transmitter output on line within specification limits (see col. 2, lines 58-59).

5. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cisneros et al. in view of U. S. Patent No. 6,823,133 to Adkins et al.

As noted above, Cisneros et al. disclose the claimed invention, except for determining a likelihood that said measurement signal represents device movement compared to noise and assigning said at least one filter parameter value based upon said likelihood.

Adkins et al. teach determining a likelihood that said measurement signal represents device movement compared to noise and assigning said at least one filter parameter value based upon said likelihood (see col. 3, lines 19-30).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Cisneros et al.'s method to include determining a likelihood that said measurement signal represents device movement compared to noise and assigning said at least one filter parameter value based upon said likelihood, as taught by Adkins et al., in order to compare phase of the feedback signal from the movement detector with phase of a reference signal and output a comparison signal (see Adkins et al., col. 3, lines 24-25).

Allowable Subject Matter

6. Claims 9 and 12-14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Talwar discloses an interference cancellation system for cancelling at least two interfering signals received simultaneously and which is adapted to be connected to a radio receiver system having a receiver antenna, a receiver and a receiver transmission line interconnecting the receiver antenna and the receiver including an auxiliary antenna, a first directional coupler connected to the auxiliary antenna, a second directional coupler connected to the receiver transmission line, a synchronous detector connected to the first and second directional couplers, a signal controller connected the synchronous detector and a subtractor connected to the receiver transmission line and to the signal controller.

Monzello et al. disclose a method for compensating for time mismatch between an interference signal path and a cancellation signal path in an interference cancellation system involves two cross correlation steps.

Casabona et al. disclose an adaptive polarization cancellation arrangement which nulls out all types of concurrent interference signals received by a Global Positioning System (GPS) receiver from antenna mainlobe and sidelobe situated sources.

DeWulf discloses a low-cost interference reduction system reducing interfering and jamming signals in a global positioning system receiver for such applications as rotating weapons and hand-held GPS receivers.

Quintana et al. disclose an inexpensive, reliable apparatus and method for autonomously monitoring, measuring the incident level, recording, comparing, reporting, and optionally displaying an indication of intentional or unintentional low-power interfering signals or emissions, including naturally occurring emissions and reflections, as received at the input of an operating system.

Contact Information

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carol S. W. Tsai whose telephone number is (571) 272-2224. The examiner can normally be reached on Monday-Friday from 8:30 AM to 5:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marc S. Hoff can be reached on (571) 272-2216. The fax number for TC 2800 is (703) 872-9306. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the TC 2800 receptionist whose telephone number is (571) 272-1585 or (571) 272-2800.

In order to reduce pendency and avoid potential delays, Group 2800 is encouraging FAXing of responses to Office actions directly into the Group at (703) 872-9306. This practice may be used for filing papers not requiring a fee. It may also be used for filing papers which require a fee by applicants who authorize charges to a PTO deposit account. Please identify the

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examiner and art unit at the top of your cover sheet. Papers submitted via FAX into Group 2800 will be promptly forwarded to the examiner.

A handwritten signature in black ink, appearing to read "Carol S. W. Tsai". The signature is fluid and cursive, with the first name "Carol" being the most prominent.

Carol S. W. Tsai
Primary Examiner
Art Unit 2857

04/14/05



Notice of References Cited

Application/Control No. 10/010,468	Applicant(s)/Patent Under Reexamination LEWIS, MARVIN	
Examiner Carol S. Tsai	Art Unit 2857	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-5,125,108	06-1992	Talwar, Ashok K.	455/278.1
	B	US-5,428,831	06-1995	Monzello et al.	455/296
	C	US-5,712,641	01-1998	Casabona et al.	342/362
	D	US-5,774,829	06-1998	Cisneros et al.	701/213
	E	US-5,872,540	02-1999	Casabona et al.	342/362
	F	US-6,590,528	07-2003	DeWulf, Thomas V.	342/357.12
	G	US-6,594,613	07-2003	Ley et al.	702/140
	H	US-6,861,983	03-2005	Casabona et al.	342/420
	I	US-2004/0012526	01-2004	Casabona et al.	342/428
	J	US-2004/0164900	08-2004	Casabona et al.	342/420
	K	US-6,639,541	10-2003	Quintana et al.	342/18
	L	US-5,302,968	04-1994	Heberle, Klaus	345/671
	M	US-6,823,133	11-2004	Adkins et al.	388/814

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.